

Panaji, 19th November, 2015 (Kartika 28, 1937)

SERIES II No. 34

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

*Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 33 dated 12-11-2015 namely, Extraordinary dated 12-11-2015, from pages 987 to 990 regarding Notification & Notice in Form No. 2 from Department of Elections.*

### GOVERNMENT OF GOA

#### Department of Finance

Office of the Commissioner of Commercial Taxes

#### Order

No. CCT/12-22/2015-16/3368

Read: Order No. CCT/12-22/2011-12/806 dated 18-07-2011 published in the Official Gazette Series II No. 18 dated 04-08-2011.

In exercise of the powers conferred under Section 29 of the Goa Value Added Tax Act, 2005 (hereinafter referred to as the "said Act"), read with Rule 27 of the Goa Value Added Tax Rules, 2005 and in supersession of Order No. CCT/12-22/2011-12/806 dated 18-07-2011, published in the Official Gazette, Series II No. 18 dated 04-08-2011, I the undersigned, Commissioner of Commercial Taxes hereby specify the method for selection of assesseees for the purpose of detailed assessments.

The Department owns and maintains a Dealer Information System i.e. VATSoft and as such, the entire process of selection of cases for detailed assessment will now be carried out using the tools available in VATSoft. Based on information available and experience gathered during the course of detailed assessments, some high risk factors associated with Turnover, Tax Payment, Input Tax Credit claimed, trends, etc., which necessitate confirmation of facts by conducting detailed assessments will be set out.

The information available in VATSoft will than be subjected to each of the pre-defined risk factors so as to determine the total score of a dealer on all risk factors. The dealer who is within the

purview of risk factor would be given a score of '1' point and a dealer who is outside the purview of risk factor would be given a score of '0' point. The information pertaining to all the dealers would be tested for each and every risk factor and scores would be given as specified above. The total scores attained by each dealer will accordingly be determined.

Upon determination of total scores of individual dealers as mentioned above, a benchmark score would be fixed and the dealers with a score exceeding the benchmark score would get selected for the purpose of detailed assessment under the said Act.

Upon selection of cases for detailed assessment, unless the circumstances require otherwise, the cases will be allotted to the Assessing Officers in the following manner:-

1. The assessments of the dealers with a turnover of sales exceeding ` 5 crore for the assessment year, shall be assigned only to Assessing Officers of the rank of Assistant Commissioner of Commercial Tax/Commercial Tax Officer.
2. The assessments of the dealers with a turnover of sales exceeding ` 1 crore, but not exceeding ` 5 crore for the assessment year, shall be assigned only to Assessing Officers of the rank of Commercial Tax Officer/Assistant Commercial Tax Officer.
3. The assessments of the dealers with a turnover of sales not exceeding ` 1 crore for the assessment year, shall be assigned to Assessing Officers of the rank of Assistant Commercial Tax Officer.

This order shall come into force at once.

*Dipak M. Bandekar*, Commissioner (Commercial Taxes).

Panaji, 12th November, 2015.

## Goa Human Rights Commission

Proceeding No. 172/2013

Proceeding No. 261/2013

## Inquiry Report

By this common order we propose to deal with both the proceedings mentioned above as the subject matter of both the proceedings is essentially similar in nature.

2. The proceeding No. 172/2013 relates to the complaint dated 12-08-2013 filed by Shri R. S. Chaurasia, Chairperson of Bachpan Bachao Andolan, L-6, Kalkaji, New Delhi which has been addressed to the Chief Minister of Goa and a copy of which has been endorsed to this Commission alleging human trafficking particularly child trafficking in tourism industry in Goa. It is alleged that the victims are forced into sex trade to Goa from across the nation as well as in international borders and the major influx is from Nepal and North Eastern States of India. The Commission forwarded the said complaint to the Superintendent of Police, Crime Branch, Panaji-Goa and he was called upon to furnish his comments and suggestions for taking remedial steps.

3. In proceeding No. 261/2013, this Commission took Suo Motu cognizance of the matter on the basis of news item which appeared in the Times of India dated 27-11-2013 under the heading "Tourist was offered child for sex for Rs. 50/- on Goa beach" and issued notices to the Secretary (Home), Government of Goa, Secretariat, Porvorim-Goa and Director General of Police, Panaji-Goa.

4. In pursuance to the notices, the Respondents have filed replies in both the proceedings. In proceeding No. 172/2013, the Respondent has stated that in pursuance of the directions of Hon'ble Supreme Court of India in Writ Petition No. 75/2012 (Bachpan Bachao Andolan v/s. Union of India and Others), the Ministry of Home Affairs, New Delhi had issued Advisory Note on 25-06-2013. The Respondent has also indicated various steps taken by the Goa Police for curbing human trafficking. In proceeding No. 261/2013, the Respondents in their reply have stated that the inquiry by Superintendent of Police (North) revealed that no such incident was reported at the Police Stations in North Goa District. It is further stated that the inquiry by Superintendent of Police (South) about the news item was verified through Incharge of Police Stations in South Goa District and it was revealed that no such activities in coastal belt/beaches of their Police Station have been noticed.

5. We have perused the records of this proceeding. We have also heard the Respondents. The complainant in proceeding No. 172/2013 did not appear before the Commission after filing the complaint.

6. On the basis of the reply filed by the Respondent in proceeding No. 172/2013 it appears that the Goa Police have issued several Circulars and Standing Orders for curbing human trafficking. Even though such Circulars and Standing Orders are issued by Goa Police, the crimes against children and women are being reported from time to time. It appears that there is no effective control by the State Police to curtail the crimes against human trafficking of children and women.

7. In the facts and circumstances of these cases, the Commission feels it appropriate to make following recommendations:

- (i) *Once the complaint is received by the Police relating to commission of any offence against children or women, the police shall register FIR forthwith and investigate the matter in right perspective.*
- (ii) *In case missing report is filed in respect of children or women, the police shall conduct preliminary inquiry into the matter and in case the child or woman is not traced within four weeks, the police shall register FIR and conduct investigation and take the same to its logical end.*
- (iii) *The Investigation Agency shall publish photographs of missing persons in the news paper; telecast on the television within one week. The photographs of missing persons shall be given wide publicity at prominent outlets of the city. However, in case of minor/child such photographs shall not be published without written consent of the parents/ guardians.*
- (iv) *The Investigation Agency shall conduct inquiry into the whereabouts from the "extended family of relatives, neighbours, etc."*
- (v) *The State Police shall establish Anti-Human Trafficking Unit to deal with the cases of human trafficking exclusively.*
- (vi) *In case missing child is not recovered within four months from the date of filing FIR, the matter may be forwarded to Anti-Human Trafficking Unit in order to enable the said unit to take up more intensive investigation regarding the missing child.*

(vii) *Once the child is recovered, the Police Authorities shall carry out further investigation to find out whether there is an involvement of any trafficking by which the child was missing and if on investigation such links are found, the police shall take appropriate action.*

(viii) *An Officer not below the rank of DIG should be deployed as Nodal Officer for the State for handling the cases of missing children.*

(ix) *Department of Women & Child Development may establish a child helpline through NGOs or other agencies with necessary support from Government in the Districts.*

Sd/- (Justice P. K. Misra)	Sd/- (A. D. Salkar)	Sd/- (J. A. Keny)
Chairperson	Member	Member
Goa Human Rights Commission	Goa Human Rights Commission	Goa Human Rights Commission

Panaji, 18th August, 2015.

No. PHQ/PET-CELL/CAL-96/13/1605/2015,  
Office of the Director General of Police, PHQ  
Panaji-Goa, Date: 21-10-2015.

To,  
The Under Secretary,  
Goa Human Rights Commission,  
Old Education Department Bldg.,  
18th June Road, Panaji Goa.

Sub: Action taken report in inquiry report dated 18.08.2015 in proceeding No. 172/2013 & 261/2013.

Ref: Proceeding No. 172/2013 & 261/2013/689, dated 03-09-2015.

Sir,

With reference to the above, I am directed to submit that an enquiry has been conducted into the inquiry report dated 18-08-2015 in proceeding No. 172/2013 & 261/2013 passed by Goa Human Rights Commission. The point wise reply are as under:-

As regards to point 7(i) to (iv), (vi) (vii), inquiry report dated 18-08-2015 in proceeding No. 172/2013 & 261/2013 has been duly circulated to all SP's for strict compliance and with a note directing to continue the practice of registering FIR immediately with regards to missing children.

As regards to point 7(v), Anti Trafficking Unit has been set up at Panaji and Margao.

As regards point 7(viii), Shri V. Renganathan, IPS, Dy. Inspector General of Police (Crime & Range), Panaji has been appointed as Nodal Officer. Copy of the same is enclosed herewith.

As regards point 7(ix), the matter pertains to Women & Child Development.

Yours faithfully,  
Sd/-  
Superintendent of Police,  
(Legal and Vigilance),  
Panaji-Goa.

No. E-I/Nodal Officer/11574/2014,  
Office of the Director General of Police,  
Panaji-Goa, Date: 15-12-2015.

#### Order

Shri V. Renganathan, IPS Dy. Inspector General of Police (Crime & Range), Panaji is hereby nominated as a Nodal Officer for handling the cases of missing children in Goa. His contacts details are as under:-

Official Address:- DIGP (Crime & Range)  
Police Headquarter, Panaji-Goa.  
Mobile No:- 7875756005.  
Telephone No:- 2423606.  
Email ID:- digpgoa.gpol@nic.in

2. This issues with the approval of DGP, Goa.

Sd/-  
V. U. Borkar,  
Superintendent of Police (HQ).  
Panaji

Department of Handicrafts, Textile & Coir

#### Order

No. 2/7/2014/HT&C/146

Government is pleased to promote on ad hoc basis Shri Soma Gawas, Technical Assistant to the post of Technical Officer, Group 'B', Gazetted in the pay scale of PB-II Rs. 9,300-34,800+ GP 4,200/- in the Department of Handicrafts, Textile & Coir, Panaji with immediate effect.

The above ad hoc promotion shall be initially for a period of one year or till the post is filled on regular basis whichever is earlier.

The above ad hoc promotion will not bestow on Shri Soma Gawas any claim for regular appointment and service rendered on ad hoc basis

in the grade will not count for the purpose of seniority in that grade or for eligibility for promotion to the next higher grade.

The pay of Shri Soma Gawas on promotion shall be fixed as per rules.

By order and in the name of the Governor of Goa.

*Smita Hede*, Under Secretary (HT&C).

Porvorim, 6th November, 2015.

Department of Home

Home—General Division

**Corrigendum**

No. 24/11/2011-HD(G)/3313

Read : Order No. 24/11/2011-HD(G)/2784 dated 8-9-2015.

1. In the above referred order, the name at Sl. No. 4 may be read as Shri Visitacao Geri Costa instead of Shri Vistiacao Geri Costa.

3. In para 5, the “Budget Head” shall be replaced as follows:—

“Demand No. 03, 2014—Administration of Justice; 800—Other Expenditure; 01—Establishment of Fast Track Court North Goa (Plan); 01—Salaries; 11—Domestic Travel Expenses; 13—Office Expenses”.

“Demand No. 04, 2014—Administration of Justice; 800—Other Expenditure; 01—Establishment of Fast Track Court, South Goa (Plan); 01—Salaries; 11—Domestic Travel Expenses; 13—Office Expenses”.

The remaining part of the order remains unchanged.

By order and in the name of the Governor of Goa.

*Neetal P. Amonkar*, Under Secretary (Home).

Porvorim, 26th October, 2015.

Department of Labour

**Notification**

No. 28/1/2015-Lab/Part-I/960

The following award passed by the Industrial Tribunal and Labour Court at Panaji-Goa on 04-08-2015 in reference No. IT/6/10 is hereby

published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).

Porvorim, 20th October, 2015.

IN THE INDUSTRIAL TRIBUNAL

AND LABOUR COURT

GOVERNMENT OF GOA

AT PANAJI

**(Before Ms. Bimba K. Thaly, Presiding Officer)**

Ref. No. IT/6/10

Ms. Nirupa C. Udaikar,  
H. No. 74, Talwada, Veroda,  
Cuncolim, Salcete-Goa ... Workman/Party I.  
V/s

The Goa Postal Employees Co-op.  
Credit Society Limited,  
Champa Vihar,  
Near Popular High School,  
Margao-Goa ... Employer/Party II.

Adv. Shri V. Menezes for Party I.

Adv. Shri U. N. Palkar for Party II.

**AWARD**

(Passed on this 4th day of August, 2015)

1. In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) (for short The Act) the Government of Goa by order dated 07-05-10 bearing No. 28/11/2010-LAB has referred the following dispute for adjudication:

“1. Whether the action of the Management of M/s. Goa Postal Employees Co-operative Credit Society Limited, Margao Goa in terminating the services of its workperson, Ms. Nirupa C. Udaikar, ‘Accounts Assistant’, with effect from 12-05-2009 is legal and justified?

2. If not, what relief the workperson is entitled to?”

2. Upon receipt of the dispute, Reference No. IT/06/10 was registered. Notices were issued to both the parties and upon this Party I filed the claim statement at Exb. 8 and Party II filed the written statement at Exb. 10. Party I then filed the rejoinder at Exb. 13.



3. It is in short the case of Party I that she joined the services of Party II on 01-07-2000 as an 'Accounts Assistant' and her services were confirmed on the same date. It is stated that, the day to day work was carried out by her as per the instructions of the Secretary and Chairman of Party II. It is stated that on 12-05-09 when Party I went to report for her normal duty she found that the lock of the Party II establishment was changed and as such she was unable to open the said establishment. It is stated that on contacting Shri R. G. Naik, the Secretary of Party II establishment, she was told that her services stood terminated, that the management had changed the lock and has put new lock and that she should not report for her duty any further and called her on 13-05-09 to take her final settlement in branch office. It is stated that Party I then raised an Industrial Dispute dated 20-05-09, which ended in failure. It is stated that after termination of her services Party I is unemployed. It is stated that the termination of the services of Party I is totally illegal, unjust and bad in law and in contravention of sec. 25(F) of the Act. Party I has therefore prayed to hold the action of Party II establishment of termination of her services as illegal, unjust and bad in law and to reinstate her back in services with full back wages, continuity in service alongwith all other consequential benefits.

4. In the written statement, Party II has denied the case of Party I and has stated that the services of Party I are not terminated till today. It is stated that Party I herself remained absent from duty unauthorizedly w. e. f. 12<sup>th</sup> May, 2009 with keys of the office in her custody. It is stated that till date Party I has not handed over the keys to Party II. It is stated that Party II requested Party I to join her duty and even in their reply filed before the Dy. Labour Commissioner, Margao. Party II again requested Party I to join her duty but till date, Party I has failed and neglected to join her duty. It is stated that Party I herself illegally and malafidely remained absent from 12-05-09 onwards and approached this authority with false dispute of termination of her services. Thus, according to Party II, Party I is not entitled for any relief.

5. In the rejoinder Party I has denied the case projected by Party II in the written statement and has asserted her case in the claim statement.

6. On the basis of the averments of the respective parties issues dated 03-05-12 at Exb. 17, were framed.

7. During evidence, Party I Ms. Nirupa Udaikar examined herself in support of her case and closed the evidence. On the other hand, Party II examined Shri Ramnath Gopal Naik and Shri Bharat Naik as their witnesses and closed their case.

8. Heard Ld. Advocate Shri V. Menezes for Party I and Ld. Advocate Shri U. N. Palkar for Party II. Ld. Advocate for Party II also filed written submissions.

9. I have gone through the records of the case and have duly considered the arguments of both the parties. I am reproducing herewith the issues alongwith their findings and reasons thereof.

Sr. No.	Issues	Findings
1.	Whether the workman/Party I proves that the action of Party II in terminating her services as Accounts Assistant, w.e.f. 12-05-09 is illegal and unjustified and in contravention of Section 25(F) of the Industrial Disputes Act, 1947?	Positive.
2.	Whether the workman/Party I proves that she is entitled to be reinstated back in the services with full back wages and continuity in services along with all other consequential benefits?	Positive.
3.	What relief? What Award?	As per order below.

#### REASONS

10. *Issue No. 1:* It is the case of Party I that Party II terminated her services w.e.f 12-05-09. She has stated that on 12-05-09 when she went to report for her normal duty, she found that the lock on Party II establishment was changed and she was unable to open the same with her regular set of keys as the lock was changed without her knowledge. In her cross examination it is brought on record that Party I did not make any written complaint to Party II regarding the change of lock. Party I has admitted in her cross examination that she does not have any documentary evidence such as photos to show that the lock was changed. She has also stated that she did not lodge complaint regarding change of lock on 12-05-09 but filed the police complaint on 14-7-09. She has also stated that she did not show the changed lock on 12-05-09 to the persons from the neighboring office. She has however denied the suggestion that Party II never changed the lock of their establishment.

11. Shri Ramnath Gopal Naik has stated in his chief examination that on 12-05-09 or thereafter at any time Party II did not replace or change the regular lock of its main door and that on 12-05-09

he opened office premises at 9.30 a.m. and that the sweeper was present in the office till 11 a.m. but he did not see Party I visiting the office. In his cross examination the above statements made by this witness are denied.

12. Irrespective of the above controversy which is as to whether the lock on the establishment of Party II was changed without the knowledge of Party I to prevent her from entering the office premises or whether Party I herself remained absent from duty, authorizedly w.e.f. 12-05-09, the fact that remains is that Party I did not attend the work w.e.f. 12-05-09. In this context, reference is made to the judgment in the case of **Gaurishankar Vishwakarma v/s Eagle Spring Industries Pvt. Ltd., 1987 (55) FLR 689** in which it is observed that even in case of abandonment of service, the employer has to give a notice to the workman calling upon him to resume his duty and must hold an enquiry before terminating his services on that ground. Reliance is also placed on the judgment in the case of **The Executive Engineer, Irrigation Div. I, Jaipur and Anr. v/s Nar Narain 1994 L.L.R. 538**, in which it is observed as under:

*“The employee is always in a disadvantageous position vis-à-vis the employer. He is not in a position to dictate the terms of employment qua the employer. It is the sweet-will of the employer to engage a workman on the terms and conditions which suit the employer. However, when a workman leaves service after working for a year or more, the natural conduct which is expected of the employer is to make an enquiry as to why the workman is not coming on duty.”*

13. It is therefore clear from the above judicial pronouncements that when an employee absents himself from duty, burden is on the employer to make enquiry and call upon him to resume the duty.

14. Shri Ramnath G. Naik, the secretary of Party II in his chief examination has stated that by letter dated 26-05-09 (Exb. 32), Party II issued show cause notice to Party I for unauthorized absence from duty and it was sent to Party I through one Shri Bharat Naik. It is worthwhile noting that this witness in his cross examination has admitted that there is no reference found made to Exb. 32 in the written statement. Thus, reference made to Exb. 32 in his evidence by Shri Ramnath Naik, does not merit consideration, it being a reference without a pleading on that subject. He has however denied that Exb. 32 is a concocted notice. In this context, cross examination of Party I gains significance as nowhere in her cross examination it has been suggested that Party II had sent show cause notice

i.e. Exb. 32 to Party I through one Shri Bharat Naik and that the same was received by Party I. The above discrepancy in the evidence coupled with the fact that there is no mention of Exb. 32 in the written statement of Party II, leads me to draw an adverse inference against Party II which is that Exb. 32 was never sent to Party I and that statement made to that effect by Shri Ramanth Naik is apparently an after thought statement.

15. The other factors which lead me to draw the above conclusion are that admittedly Exb. 32 does not bear the signature of Party I towards its receipt nor there is endorsement on Exb. 32, by Shri Bharat Naik stating that Party I refused to sign acknowledging its receipt. It is also noticed that Shri Bharat Naik in his chief examination has stated that on 26-05-09, on the request of the Chairman (not Secretary) of Party II, he visited the house of Party I at Veroda, Cuncolim, Goa but in his cross examination this witness has come out with a different story which is that he was not meeting the chairman Shri R. G. Tari at the relevant period when he delivered the show cause notice to Party I. He has also stated that at the relevant time when he delivered the show cause notice to Party I, Shri R. G. Tari was working as Postman in the Department of Posts, at Panaji and that he does not know the duty timings of the Postman. He has further stated that even when Shri R. G. Tari was the Chairman of Party II he never used to come regularly to the office of Party II as he was posted at Panaji. No doubt, this witness has denied the suggestion that Shri R. G. Tari did not request him to visit the house of Party I and deliver show cause notice on 26-05-09 but from the statements made by this witness which are referred to above, it can be safely concluded that the same are self contradictory as at one point of time this witness has deposed of having not met Shri R. G. Tari during the relevant period when he delivered the show cause notice to Party I and at the other point of time he denies the suggestion that Shri R. G. Tari did not request him to visit the house of Party I and deliver the show cause notice on 26-05-09.

16. Apart from above, Shri Bharat Naik has also stated in his cross examination that the said notice was handed over to him by DW. 1 Shri Ramnath G. Naik i.e. the Secretary of Party II and further that the address of Party I was found out by him from the Cuncolim post office on 25-5-09 without in any way explaining as to what made him to find out the address of Party I on 25-5-09 when from his own showing it was on 26-5-09 he was requested to deliver the said notice at the house of Party I.

17. Thus, the above contradictory versions by this witness lead me to draw the adverse inference against Party II on the above subject matter.

18. Be that as it may, perusal of Exb. 32 reveals that vide this notice Party II sought explanation from Party I for having remained absent from duty from 11-05-09 without any intimation and there is nothing in this notice calling upon Party I to resume her duties which is so required in terms of judgment in the case of **Gaurishankar (supra)**. Thus, it is evident that Party II did not call upon Party I to resume her duties in case she had absented from duties from 11-05-09. It may be mentioned at this stage that it is otherwise the case of Party II that Party I stopped reporting for duty from 12-05-09 and not from 11-05-09 and therefore the contents of Exb. 32 even otherwise are de hors the defence setup by Party II in the written statement.

19. It is pertinent to note that in the minutes of meeting dated 14-12-09, 5-1-10 and 1-2-10 (Exb. 26 colly) by the Dy. Labour Commissioner it is nowhere recorded that Party II had issued show cause notice/letter dated 26-5-09 to Party I for her unauthorized absence from duty. In case such a show cause notice dated 26-5-09 was issued to Party I, Party II would definitely make mention of it during the conciliation proceedings. Absence of such record also makes me to draw adverse inference against Party II on the subject of issuance of show cause notice to Party I.

20. Since I have already come to the conclusion that Party II did not serve show cause notice at Exb. 32 on Party I, it is apparent that Party II did not comply with the requirements of law in terms of the observations made in the judgments supra. On the contrary, it appears from the letter dated 18-07-09 (Exb. 24) sent by Shri R. G. Naik as Secretary of Party II to Party I that he had instructed Party I on 11-05-09 to hand over the keys of Party II establishment to the Chairman Shri R. G. Tari while leaving the office on 11-05-09 afternoon but Party I failed to hand over the same. The above contents of Exb. 24 give a clear indication that Party II did not want Party I to be on duty w.e.f. 12-05-09. Being so, the arguments of Ld. Advocate for Party II that the letter at Exb. 24 was sent to Party I only with the intention of safeguarding the office of Party II, as Party I was not handing over the office keys even though she was not attending the office even after remaining absent for two months, do not appear to be convincing.

21. There is otherwise no dispute that Party I was employed with Party II as an Account Assistant vide appointment letter dated 1-7-2000 confirmation letter dated 1-7-2000 (Exb. 20 & Exb.21 resp.) Shri Ramnath G. Naik has also admitted that Party I was performing the duties as stated by her in para 3 of her affidavit and these duties apparently bring Party I within the ambit of Section 2(s) of the Act. Undoubtedly, discussion supra reveals that termination of services of Party I is without compliance of the requirements of Section 25(F) of the Act. Thus, it is clear that the termination of services of Party I is illegal, unjust and in contravention of Section 25 (F) of the Act. Hence my findings.

22. *Issue No. 2:* The relief sought by Party I in this reference is of reinstatement in service with full back wages and continuity of service along with all other consequential benefits. Discussion supra makes it clear that termination of services of Party I is in violation of Section 25 (F) of the Act and therefore Party I is entitled to be reinstated with continuity in service. In the judgment in the case of **Hawaldar Tejbali Singh v/s Major Nachhattar Singh and Anr. 1998 1 L.L.J 94**, it is observed that reinstatement results in replacing the person in a position from which he was dismissed, retired or resigned. It is also observed that reinstatement means maintenance of *status quo ant*. It is further observed in this judgment that the ordinary dictionary meaning of the word “reinstatement” is to restore to the previous position. This being the situation, upon ordering reinstatement of Party I, it is for the Party II, to reinstate Party I to her previous position.

23. In her claim statement Party I has pleaded that after the termination of her services she is unemployed and does not have any source of income. The above statement made in the claim statement is not denied by Party II in the written statement and thus amounts to its admission. Even in her affidavit in evidence, Party I has stated that since the time of her illegal termination she has not been gainfully employed anywhere and this statement made by Party I is merely denied in her cross examination without suggesting otherwise.

24. In the judgment in the case of **Kendriya Vidyalaya Sanghathan and Anr. v/s S.C. Sharma 2005 L.L.R., 275** and in the case of **U.P. State Bridge Corporation Ltd., v/s Maharashtra General Kamagar Union 2008 (2) Bom. C.R. 619**, it is held that when the employee has not shown that he was not gainfully employed during the period of operation of termination order and has not pleaded or placed any material in that regard, he would not



be entitled to back wages. These judgments also indicate that onus of proof of unemployment is on the employee and it is for the management to rebut the same. Since in the instant case Party II has not taken pains to rebut the stand of unemployment taken by Party I in her pleadings, it is clear that Party I has succeeded in proving that she was unemployed during the operation of termination order and therefore she is entitled to the back wages from the date of termination of her services. Reference is also made to the judgment in the case of **Deepali Gundu Surwase v/s Kranti Junior Adyapak Mahavidyalaya 2013 LAB I.C. 4249** in which it is observed that if the employer wants to avoid payment of full back wages, it has to plead and also lead cogent evidence to prove that the employee was gainfully employed and was getting wages equal to the wages he was drawing to prior to the termination of service. No such exercise has been undertaken by Party II and therefore Party I is entitled for full back wages. Hence my findings.

25. In the result and view of discussion supra, I pass the following:

## ORDER

1. It is hereby held that the action of the Management of M/s. Goa Postal Employees Co-operative Credit Society Limited, Margao-Goa, in terminating the services of its workperson, Ms. Nirupa C. Udaikar, 'Accounts Assistant', with effect from 12-05-2009, is illegal and unjustified.
2. Party I Ms. Nirupa Udaikar is ordered to be reinstated back in services with full back wages and continuity in services along with all other consequential benefits.
3. No order as to costs.

Inform the Government accordingly.

Sd/-  
(B. K. Thaly)  
Presiding Officer,  
Industrial Tribunal  
-cum-Labour Court

## Notification

No. 28/1/2015-LAB/Part-I/951

The following award (Part-I) passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 31-08-2015 in reference No. IT/5/94 is

hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour)  
Porvorim, 20th October, 2015.

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IN THE INDUSTRIAL TRIBUNAL AND  
LABOUR COURT  
GOVERNMENT OF GOA  
AT PANAJI

(Before Ms. Bimba K. Thaly, Presiding Officer)

Ref. No. IT/5/94

Workmen,  
Rep. by The President,  
Federation of Goa Trade Union,  
1st floor, Mabai Building,  
Margao-Goa. .... Workmen/Party I.  
v/s

M/s Dalmia Resorts International Pvt. Ltd.,  
The old Anchor, Mobor,  
Cavelossim-Goa. .... Employer/Party II.  
Party I/Workman Shri Cruz Cardozo represented  
by Adv. Shri V. Menezes, rest of Party I workmen  
absent, not represented. Party II represented by  
Adv. Shri P. J. Kamat.

## AWARD (PART I)

(Passed on this 31st day of August, 2015)

In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) (for short The Act) the Government of Goa by order dated 13-10-93 bearing No. 28/42/93-LAB referred the following dispute for adjudication.

"Whether the action of the management of M/s. Dalmia Resorts International Pvt. Ltd. (The Old Anchor) Cavelossim, in dismissing the following workmen with effect from 15-9-92, is legal and justified?

- (1) Shri Cruz Cardozo.
- (2) Shri Cruz Fernandes.
- (3) Shri Domnic Rodrigues.
- (4) Shri Aurelio D'Costa.
- (5) Shri Joaquim Mendes.
- (6) Shri Paul Cruz.
- (7) Shri Joseph Mascarenhas.

If not, to what relief each of the workman is entitled?"



2. Upon receipt of the dispute reference No. IT/ /5/94 was registered. Notices were issued to both the parties under registered post, upon which both the parties were served. Party I filed the claim statement at Exb. 3. Party II filed written statement at Exb. 5. Rejoinder was filed by Party I at Exb. 6.

3. It is in short the case of Party I workmen that they were initially the members of union by name "The Old Anchor Dalmia Resorts Employees Union" which union got affiliated to a Federation of Trade Union's i.e Party I union. It is stated that in or about Feb. 1992 Party II suspended two of its employees without any valid reason to which the employees objected and the Federation gave notice to Party II to withdraw the suspension order failing which they would resort to strike. It is stated that Party II did not withdraw the suspension order and as such employees went on strike from 23-3-92 which lasted for about 18 days and was later withdrawn due to some understandings arrived at between Party II and the employees. It is stated that Party II issued charge sheets to 41 workmen including Party I workmen during the period when the employees had gone on strike however later decided to withdraw suspensions as well as charge sheets issued to all the employees except 14 workmen and decided to continue enquires against the said 14 employees. It is stated that subsequently Party II took back 7 more employees in service by withdrawing the suspension orders and dropping the charges but did not withdraw the suspension orders nor drop the charges against Party I workmen. It is stated that after completing the enquiry, Party II terminated the services of Party I workmen. It is stated that the charge sheets issued to Party I workmen are totally false and are issued with a view to victimize them for participating in the agitation and the strike called by the union. It is stated that the enquiry conducted against Party I workmen was in violation of principles of nature justice and no sufficient opportunity was given to them to defend themselves in the enquiry. Thus, it is the case of Party I that termination of services of Party I workmen by Party II w.e.f. 15-9-92 is illegal and unjustified and they are entitled to be reinstated in service with full back wages and continuity in service.

4. In the written statement Party II has raised objections on the maintainability of the reference by stating that there is no Industrial Dispute as defined in Sec. 2(k) or Sec. 2(A) of I. D. Act. It is stated that two of the employees were suspended

due to assault on the airport representative of Party I and thus they were suspended. It is stated that being aggrieved by the said suspension orders some of the workers along with others obstructed the managerial, supervisory and administrative staff so also stopped the vehicles of the guests and threatened and intimidated them. The striking workers also threw stones at the guest's apartments and the Party I workmen were also among the said striking workers. It is stated that Party II issued charge sheets to each of the employees and they were asked to submit their explanation and there after enquiry was held against each workmen individually. It is stated that the enquiry was conducted by following the principles of nature justice and the workmen were given full opportunity to defend themselves in the enquiry. That on completion of the enquiry the E. O. submitted his findings holding the workmen guilty of the charges leveled against them. It is stated they pursuant to this Party II dismissed the workmen from service.

5. In the rejoinder Party I has denied the case setup by Party II in the written statement.

6. In the course of further proceedings Party I workman namely Shri Cruz Cardozo represented by Adv. Shri V. Menezes settled the matter amicably with Party II by filing the terms at Exb. 32, which read as under:

1. It is agreed between the parties that the management of M/s Old Anchor, Cavelossim Beach Mobor, Salcete, Goa shall pay a sum of Rs. 3,00,000/- (Rupees three lakhs only) by Demand Draft No. 019777 dated 11-8-2015 drawn on IDBI Bank, which shall include all his claim arising out of the present reference and his employment. The above amount shall include all his claims of unpaid wages, bonus, leave encashment, gratuity, ex-gratia, etc., if any or any other claim/benefit which can be computed in terms of money.
2. It is agreed by the Party I that he shall accept the amount mentioned in the clause (1) in full and final settlement of all his claims arising out of the employment, in complete satisfaction of all the claims made in the present Reference and further confirm that he shall have no claim of whatsoever nature against the company including any claim of reinstatement or/and re-employment.

3. In view of the amicable settlement between the parties, it is respectfully prayed that an Award be passed in terms of this settlement and the reference be disposed off accordingly.

7. The above settlement terms are signed by the Party I workman Shri Cruz Cardozo and his advocate so also by Party II and their advocate.

8. I have gone through the records of the case and the settlement terms filed as above. I am convinced that the above settlement terms are in the interest of Party I workman Shri Cruz Cardozo and hence the same are accepted. In view of this the following:

#### ORDER

1. The reference at the instance of Party I workman Shri Cruz Cardozo stands disposed off in view of above settlement terms filed by the said workman and Party II.

2. No order as to costs.

Inform the Government accordingly.

Sd/-  
(Bimba K. Thaly)  
Presiding Officer  
Industrial Tribunal-cum-  
Labour Court-I

#### Notification

No. 28/1/2015-LAB/958

The following award settled before the Lok-Adalat at Panaji-Goa on 13-12-2014 in reference No. IT/18/13 is hereby published as required by section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*Shashank V. Thakur*, Under Secretary (Labour).  
Porvorim, 26th October, 2015.

#### National Lok Adalat

Compromise Memorandum in cases u/s 10 (1)  
(D) of Industrial Disputes Act, 1947

Type of cases:- Reference matter.

Case No:- IT/18/13 Pending before Industrial Tribunal cum Labour Court-I, Panaji.

Shri Pandarinath Gaude ... Workman/Party I  
V/s

M/s Petals Innovative  
Machines Pvt. Ltd. ... Employer/Party II

#### MAY IT PLEASE YOUR HONOUR

Dispute in brief is that the workman raised dispute claiming his termination of services as illegal. The Management disputed the claim of the workman.

That the Workman Shri Pandarinath Gaude/Workman and M/s Petals. Innovative Machines Pvt Ltd./Employer, alongwith our Advocates, authorize Panel/Bench constituting National Lok Adalat in the above said matter that we have arrived at the compromise to settle the matter as follows:

#### TERMS OF COMPROMISE

Both parties agreed to settle the present matter by paying total sum of Rs. 2,00,000/- (Rupees Two Lakhs only) in full and final settlement of the entire dues of the workman/Party I on or before 31-01-2015. It is further agreed to deduct a sum of Rs. 10,000/- from the above amount and pay it to Goa Trade and commercial Workers Union on or before 31-01-2015. It is agreed that the Employer shall sign the Provident Fund forms of the workman to facilitate the workman to withdraw the same from the Provident Fund Office. It is also agreed to issue a bonafide service certificate to the workman. Both the parties state that they have no claim of whatsoever nature against each other.

We have arrived at the compromise terms willing before the National Lok Adalat held on 13-12-2014 at 10,30 a.m. No coercion or force is applied. Today, though it is not working day for the Court we request the Panel/Bench constituting the National Adalat to record the compromise today only and the aforesaid matter may be marked as settled accordingly.

Dated this 13<sup>th</sup> day of December, 2014.

Signature of the Applicant

Signature of the Advocate for the  
for the Applicant

(Adv. Subhas Nank)

Signature of Respondent

Signature of the Advocate  
for the Respondent

(Signature of the Authorized officer of the Government)

### AWARD

The matter is amicably settled as above before the National Lok Adalat held on 13th day of December, 2014.

1. Signature of the Presiding Officer of Panel of National Lok Adalat.

2. Signature of the Member of National Lok Adalat

3. Signature of the Panel of National Lok Adalat

State Directorate of Craftsmen Training

### Notification

Ref. 3/SDCT/TPO/IMC/PER/6155

Sub.: Re-constitution of Institute Managing Committee of Pernem Government ITI-Pernem.

In pursuance of the guidelines issued by Government of India for constitution of Institute Managing Committee (IMC) for the ITIs vide D.O. No. DGET-21(3)97-CPIU (VOL. IV) dated 25-01-2002 from the Director General of Employment & Training and Joint Secretary, Government of India, Ministry of Labour, New Delhi, the Government is pleased to re-constitute the Institute Managing Committee of Pernem Government ITI Pernem-Goa from the date of issue of this Notification.

### Constitution:

- |  |          |
|--|----------|
| 1. Shri Mahavir J. Patil,<br>General Manager,<br>M/s. Binani Glass Fibre,<br>Colvale, Bardez-Goa.                                | Chairman |
| 2. Shri Vadiraj Patil,<br>General Manager<br>M/s. Acoustic Components<br>Pvt. Ltd. Tuem Industrial Estate,<br>Tuem, Pernem-Goa.  | Member   |
| 3. Shri L. M. Shelke,<br>Manager,<br>M/s. D. B. Electricals Pvt. Ltd.<br>33A & 34A, Tuem Industrial Estate,<br>Tuem, Pernem-Goa. | Member   |

4. Sanjay Shinde,  
Senior Manager-Operations  
M/s. Power Engineering India  
Pvt. Ltd., 58/A, Tuem Industrial  
Estate, Tuem, Pernem-Goa.

Member

5. Shri Prakash G. K. Shankwalkar,  
M/s. Simchem Pvt. Ltd.,  
60-65, Tuem Industrial Estate,  
Tuem, Pernem-Goa.

Member

6. Shri Balkrishna V. Parulekar,  
M/s. AVP Cement Products,  
c/o Steel Yard, 4 Vaz Corner  
Buidling, Tali Wadda, Mapusa,  
Bardez-Goa.

Member

7. Shri Sandeep Prabhu,  
Managing Partner,  
M/s. Onkar Industries,  
D3/11, Tuem Industrial Estate,  
Tuem, Pernem-Goa.

Member

8. Shri Balkrishna Shetye,  
Partner,  
M/s. Raj Industries,  
Shed No. D/3/9, Tuem Industrial  
Estate, Tuem, Pernem-Goa.

Member

9. Shri Alvin Fernandes,  
Proprietor,  
Montego Bay Beach Village,  
Vithaldas Vaddo, Morjim  
Pernem-Goa.

Member

10. State Director or his Represen-  
tative, State Directorate of  
Craftsmen Training  
Shramashakti Bhavan,  
Panaji-Goa

Member

11. Principal,  
Pernem Government Industrial  
Institute, Pernem-Goa.

Member  
Secretary

12. Faculty Representative to be  
nominated by the Principal,  
Pernem Government Industrial  
Training Institute, Pernem-Goa.

Member

13. Co-ordinator,  
to be nominated by the Principal,  
Pernem Government Industrial  
Training Institute, Pernem-Goa

Member

14. Student Representative to be  
nominated by the Principal,  
Pernem Government Industrial  
Training Institute, Pernem-Goa.

Member

The terms of reference shall be as per attached annexure also specifying therein indicators for monitoring the performance of the IMC.

The term of office of the IMC shall be three years from the date of issue of this notification or till the re-constitution of the IMC thereafter. The members representing the industries may change by name and number depending upon the necessity of the IMC from time to time under specific orders of the Government. Change in the official members, if any, shall be on the basis of the recommendations of the State Director of Craftsmen Training.

The IMC shall meet as frequently as required and in any case at least once in three months. The members will have to intimate to the Chairman about his inability to attend the meeting and obtain leave of absence. Any member remaining absent for three consecutive meetings without leave of absence shall cease to be member of the IMC from the date of third absence.

The non-official members who attend the meeting shall be paid a fixed honorarium of Rs. 400/- per meeting and no other TA/DA shall be payable.

By order and in the name of the Governor of Goa.

*Aleixo F. da Costa*, State Director & ex officio Joint Secretary (Craftsmen Training).

Panaji, 30th October, 2015.

## ANNEXURE

### *Role and Responsibilities of the Institute Managing Committee (IMC)*

#### **1. Generation and Utilisation of Finance:**

- The IMC would be free to generate funds through various projects from industry.
- The IMC would encourage donors to donate funds to the institutes.
- These funds would be available to the IMC for utilization as decided by them.

#### **2. Donation of Machinery & Equipments:**

The IMC would encourage donation of machinery & equipments to the institutes.

#### **3. Selection of Contract Faculty:**

The IMC will have powers for appointment of contract faculty as and when required.

#### **4. Students Selection:**

- Vocational guidance about the nature of course, job opportunities and career prospects would be provided to students prior to applying for admission in ITI so that they choose right courses.

- Introductory seminars for the fresh students (including visits to industry) may be conducted by industry to create interest and motivate them.
- The IMC may adopt various transparent methods of selection according to the individual needs of each institute. However, the guidelines prescribed by the NCVT should not be violated.

#### **5. Employment:**

- The IMC will be responsible for helping students in registration. Before passing out all ITI students will be registered with (i) Local employment exchange (ii) Overseas employment cell (iii) Regional Headquarters of Industry associations (iv) Campus interviews will also be arranged.
- Trainees will be helped by the industry to go in for self-employment through acquisition of skills relating to interaction with FIs and basic trade and commerce facilities.
- Tracing the ITI graduates for next three years after their passing out.

#### **6. Faculty and Staff Development:**

- IMC will identify the training needs of all faculty and staff members based on Faculty Development Forms.
- Detailed annual and quarterly training calendars, budgets and release of personnel for training programmes will be planned by IMC including exchange of personnel between industry and institute.

#### **7. Mentors and One-Day Lecturers (Guest Lecturers):**

IMC will nominate Mentors and One-Day Lecturers (Guest Lecturers) from industry for various trades. One-day lecturers are specifically meant to deliver lecture or impart practical training in the ITI. A mentor is nominated for a student/group of students belonging to one trade. Mentor may just discuss/guide/counsel students in the ITI or outside as per mutual convenience. He can, however, also deliver lecture or impart practical training. Mentors are more like role model for students and therefore should be a good experienced skilled worker. Mentors will play an important role in vocational guidance and career counseling as well as apprising students about latest technologies and trends in the World of Work. Mentorship



system should have great flexibility in contact between students and mentor. The contact could even be over telephone.

#### **8. Seminars, workshops and exhibitions:**

IMC will organize seminar, workshops and exhibitions for mutual benefits of trainees, faculty and industry.

#### **9. Trade Advisory Committees (TAC):**

IMC may constitute Trade Advisory Committee (TAC) for a group of trades or any other committee to assist in various functions. TAC should help IMC in issues related to improvement in effectiveness and relevance of training for a particular trade group. TAC should have trade experts from industry, concerned instructors, student representatives etc. The exact composition may be decided by the IMC.

#### **10. Industrial Training:**

- a) IMC will prepare guidelines for the industrial training with details of periods of training including projects for students and faculty. Students of one trade may be released together for industrial training in order to avoid disruption of training in ITI.
- b) IMC will also decide about the stipend to be paid to each student and faculty by the industry providing training.

#### **11. Curriculum Revamping:**

- a) IMC will be allowed to revamp the curriculum of any trade above the NCVTs norms on the basis of industry needs.
- b) IMC will be allowed to include new trades and discontinue the obsolete trades by following simplified procedures to be decided by DGET.

#### **12. Equipment Maintenance:**

The maintenance and replacement of the equipment at the institute will be supervised by IMC.

#### **13. Teaching Aids:**

Teaching aids like working models, slides, video projections, instruction material in vernacular languages, work books, detailed job assignments of the institute will be upgraded under the supervision of IMC.

#### **14. MIS System:**

Under guidance of the Steering Committee, the Managing Committee will introduce

a MIS System for each ITI. Industry associations will provide the necessary inputs for creating such MIS System.

#### **15. Capital Expenditure:**

- a) IMC will be involved in spelling out specifications for the procurement of equipment including accessories and measuring equipment. The proposals for procurement of equipment will be cleared by IMC before orders are placed.
- b) The proposals of civil works (including additions/alterations in the existing building) will be cleared by IMC.

#### **16. Examination Supervision:**

- a) Theoretical examinations will be jointly supervised by industry.
- b) Practical examination and evaluation will be supervised jointly by industry and external examiner.

#### **17. Faculty Evaluation:**

- a) Faculty evaluation will be done by the Steering Committee and their recommendations will carry weight and recognition.
- b) Faculty Development Form will be designed by IMC which will include criteria for gradation and development of faculty.

#### **18. Transfer for faculty:**

IMC will be taken into confidence while transferring the faculty from one institute to another.

#### **19. Faculty Deputation:**

Deputation of the faculty from one institute to another will be made at the recommendations of IMC.

#### **20. Consultancy Rules:**

The rules for providing consultancy by the ITI will be laid down in consultation with the Managing Committee.

#### **Indicators for monitoring the performance of IMC**

- 1) Employment rate within 6 months of completing the course.
- 2) Student output to sanctioned capacity—
  - a) Admission rate.
  - b) Retention rate.
  - c) Pass rate.
- 3) Internship/n-the-job training per student per year.

- 4) Average number of days of deputation of instructors in industry per year.
- 5) Revenue generated as percentage of operating expenses.
- 6) Donation of machinery and equipment to ITI by Industry.
- 7) Other co-operation between ITI and industry.
- 8) Time devoted by experts from industry in conducting classes or other activities in ITI.
- 9) Recommendations made by IMC and their implementation.



**Department of Law & Judiciary**  
Law (Establishment) Division

**Notifications by the High Court of  
Judicature Appellate Side, Bombay**

Resolution No. A-3902/G/2015/4055

Read: 1) High Court Resolution No. A. 3902/G/2015 dated 27th August, 2015.

Resolution: The High Court is pleased to cancel the deputation of Shri Carlo Rohin Santan Da Silva, Civil Judge, Junior Division and Judicial Magistrate First Class, "F" Court, Mapusa, District Panaji to the Court of Pernem.

High Court, Bombay. *Mangesh S. Patil*  
Dated: 30th October, 2015. Registrar General.

No. A-3902/G/2015/4056

The High Court has been pleased to make the transfer and posting of the following Judicial Officer:-

Sr. No.	Name & present posting	New posting
1.	Smt. Shilpa Shashikant Pandit, Civil Judge, Junior Division & J.M.F.C., Vasco-da-Gama, District Margao	Civil Judge, Junior Division & J.M.F.C., Pernem, District Panaji.

High Court, Bombay. *Mangesh S. Patil*  
Dated: 30th October, 2015. Registrar General.

**Department of Official Language and  
Public Grievances**

Directorate of Official Language

**Order**

No. 6/15/2015/DOL/Adhoc Comm 2015-16/916

Sanction of the Government is hereby conveyed to constitute an ad hoc committee for Goa Marathi Akademi. The Akademi consists of the following members:

1) Shri Anil Gajanan Samant	President.
2) Shri Ashok Naik Tuenkar	Vice-President.
3) Shri Chandrakant Mahadev Gawas	Member.
4) Smt. Poornima Rajendra Kerkar	Member.
5) Shri Vallabh Laxman Kelkar	Member.
6) Shri Gajanan Harishchandra Mandrekar	Member.
7) Shri Sagar Javdekar	Member.
8) Shri Paresch Vasudev Prabhu	Member.
9) Shri Janardan Verlekar	Member.
10) Shri Tushar Tople	Member.
11) Shri Anand Mayekar	Member.
12) Shri Dasharath Parab	Member.
13) Shri Shashank Thakur	Member Secretary/ Government Representative.

The period of ad hoc Committee will be for 6 months from the date of issue of this order.

The ad hoc committee will frame the constitution for Goa Marathi Akademi in consultation with the Directorate of Official Language by 31st March, 2016.

The proposal pertaining to the development of Marathi language shall be identified and submitted through the Member Secretary/ Government representative for the Government for approval and concurrence.

The non-official members shall be entitled for seating honorarium as per the Government Rules in force.

The expenditure incurred on this shall meet from the Budget Head, Demand No. 27: 2202—General Education; 05—Language Development; 800—Other Expenditure; 06—One Time Grant to Marathi Akademi; 31—Grant-in-aid.

This issues with the approval of the Government.

By order and in the name of the Governor of Goa.

Dr. *Prakash Vazrikar*, Director & ex officio Jt. Secretary (Official Language).

Panaji, 3rd November, 2015.

◆◆◆  
Department of Personnel

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Order

No. 5/23/77-PER(B)

Read: Memorandum No. 5/23/77-PER (B) dated 31-7-2015.

On the recommendation of Goa Public Service Commission vide their letter No. COM/II/4/16(1)/08/1125 dated 21-07-2015 the Governor of Goa is pleased to appoint Shri Dipak S. Bhajekar, Additional General Manager, WRTS-II, Power Grid Corporation of India Limited, Gurgaon to the post of Chief Electrical Engineer, Electricity Department, Government of Goa, Panaji by transfer on deputation initially for a period of 2 (two) years subject to the following conditions.

1. He should go under medical test for fitness purpose.
2. Other terms and conditions shall be decided in the due course of time.

Shri Dipak S. Bhajekar has reported for duties on 14-09-2015 and is awaiting posting.

By order and in the name of the Governor of Goa.

*R. Aga*, Under Secretary (Personnel-II).

Porvorim, 24th September, 2015.

—  
Order

No. 7/1/94-PER/3662

On the recommendation of Goa Public Service Commission as conveyed vide their letter No. COM/11/12/21(1)/12/1210 dated 15-09-2015, the Governor of Goa is pleased to declare Shri Ashok Menon to have satisfactorily completed

his probation period and to confirm him in the post of the Director, Fire & Emergency Services, Panaji with effect from 12-08-2012.

By order and in the name of the Governor of Goa.

*Surendra F Naik*, Under Secretary (Personnel-II).  
Porvorim, 3rd November, 2015.

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Order

No. 6/9/2009-PER (Part II)/3672

On the recommendations to Goa Services Board and with the approval of the Government, Shri Damodar Morajkar is hereby transferred and posted as Director, Handicrafts, Textile & Coir, thereby relieving Shri Narayan Sawant of additional charge.

Shri Nikhil Dessai, Managing Director, Goa Tourism Development Corporation shall hold additional charge of the post of Managing Director, Goa Handicrafts Rural & Small Scale Industrial Development Corporation, with immediate effect and until further orders.

By order and in the name of the Governor of Goa.

*Surendra F Naik*, Under Secretary (Personnel-II).  
Porvorim, 4th November, 2015.

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Order

No. 6/13/2009-PER/3685

On the recommendations of Goa Services Board and with the approval of the Government, Shri Sanjiv Gadkar, Additional Secretary (Home), shall hold additional charge of the post of Director, NRI w.e.f. 01-01-2016.

Shri Gadkar shall acquaint himself about the working of NRI Department during the period from 06-11-2015 to 31-12-2015.

By order and in the name of the Governor of Goa.

*Surendra F Naik*, Under Secretary (Personnel-II).  
Porvorim, 6th November, 2015.

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Department of Planning

Directorate of Planning, Statistics & Evaluation

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Notification

DPSE/IV/POPULATION CENSUS-2011/Fin

In exercise of the powers conferred by sub-rule (4) of Rule 3 of the Citizenship Act, 1955 (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, the Government of Goa hereby appoints

the officers mentioned in column (2) of the Schedule annexed hereto as Citizen Registration Officers with such designation and jurisdictions as specified in the corresponding entry in columns (3) and (4) respectively, for the purpose of said sub-rule (4) of Rule 3 of the Citizenship Act, 1955 to update the National Population Register, with immediate effect.

## SCHEDULE

Sl. No.	Designation of officer	Name of appointment	Jurisdiction
1	2	3	4
1.	Collector, North Goa District	District Registrar of Citizens Registration (DRCR)	North Goa District.
2.	Collector, South Goa District	District Registrar of Citizens Registration (DRCR)	South Goa District.
3.	Additional Collector, North Goa District	Addl. District Registrar of Citizens Registration (ADRCR)	North Goa District.
4.	Additional Collector, South Goa District	Addl. District Registrar of Citizens Registration (ADRCR)	South Goa District.
5.	Deputy Collector, Panaji, Margao, Mormuga, Sub-Divisions	Sub-District Registrar of Citizens Registration (SDRCR)	Respective Sub-Divisions including Urban Agglomeration areas.
6.	Mamlatdar, Tiswadi, Salcete, Mormugao, Bardez, Pernem, Bicholim, Satari, Ponda, Sanguem, Quepem, Darbandora & Canacona Talukas	Sub-District Registrar of Citizens Registration (SDRCR)	Respective Talukas excluding Urban Agglomeration areas.
7.	Joint Mamlatdar, Bardez & Ponda, Salcete Talukas	Addl. Sub-District Registrar of Citizens Registration (ASDRCR)	Respective Talukas.
8.	Talathi	Local Registrar of Citizens Registration (LRCR)	Village level.

By order and in the name of the Governor of Goa.

Anand Sherkhane, IES, Director & ex officio Additional Secretary (Planning).

Porvorim, 16th October, 2015.



## Department of Public Health

## Order

No. 4/4/2006-IV/PHD/Part/1640

Government of Goa is pleased to transfer the following doctors appointed as Public Health Dentist under Directorate of Health Services, Panaji-Goa on contract basis vide Order No. 4/4/2006-IV/PHD/Part 2 dated 01-09-2015 against the places indicated against their names:-

Sr. No.	Name of the MDS student & speciality	Appointed as	Transferred at
1	2	3	4
1.	Dr. Nikita Dilip Kumar Karekar, MDS (Prosthodontics)	Public Health Dentist	Sub-District Hospital, Ponda vice Dr. Sonam Malik transferred.

1	2	3	4
2.	Dr. Sonam Malik, MDS (Oral Medicine and Radiology)	-do-	North Goa District Hospital, Mapusa, vice Dr. Nikita Karekar transferred.

By order and in the name of the Governor of Goa.

Sangeeta M. Porob, Under Secretary (Health).

Porvorim, 2nd November, 2015.

## Order

No. 4/16/2002-II/PHD/Vol. I/1667

Read: Memorandum No. 4/16/2002-II/PHD/Vol. I dated 23-10-2015.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter



No. COM/I/5/30(2)/91-2010/Vol.I/1209 dated 15-09-2015, Government is pleased to appoint Dr. Sarika Damodar alias Swapnil Arsekar to the post of Lecturer in the Department of Obstetrics and Gynaecology in Goa Medical College & Hospital, Bambolim-Goa on temporary basis in the Pay Band-3, Rs. 15,600-39,100+ Grade Pay of Rs. 6,600/- with immediate effect and as per the terms and conditions contained in the Memorandum cited above.

Dr. Sarika Damodar alias Swapnil Arsekar shall be on probation for a period of two years.

Dr. Sarika Damodar alias Swapnil Arsekar has been declared medically fit by the Medical Board.

The appointment is made subject to the verification of her character and antecedents. In the event of any adverse remarks noticed by the Government on verification of her character and antecedents, her services shall be terminated.

The appointment is made against the vacancy occurred due to promotion of Dr. Uddhav M. Pawar, Lecturer to the post of Assistant Professor in Obst. & Gynaecology vide Order No. 4/16/2002-II/PHD/ /Vol. I dated 22-04-2015.

By order and in the name of the Governor of Goa.

*Sangeeta M. Porob*, Under Secretary (Health).  
Porvorim, 6th November, 2015.

#### Order

No. 6/5/2012-III/PHD/1678

Read: Memorandum No. 6/5/2012-III/PHD dated 28-08-2015.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/1/5/35(1)/2013/1136 dated 28-07-2015, Government is pleased to appoint Ms. Pearl Fernandes to the post of "Bio-chemist" (Group 'B', Gazetted) in the Institute of Psychiatry & Human Behaviour, Bambolim on temporary basis in the Pay Scale of Pay Band—2 ` 9,300-34800 + Grade Pay ` 4,600/- with immediate effect and as per the terms and conditions contained in the Memorandum cited above.

Ms. Pearl Fernandes shall be on probation for a period of two years.

The character and antecedent of Ms. Pearl Fernandes have been verified by the Addl. District Magistrate, South Goa, Margao and nothing adverse has been found against her. She has also been declared medically fit by the Medical Board.

The above appointment is made against the vacancy occurred due the retirement of Dr. I. R. Miller Mukherjee on attaining the age of superannuation on 31-01-2013, who is presently on extension beyond superannuation for a further period of one year w.e.f. 01-02-2015 to 31-01-2016.

By order and in the name of the Governor of Goa.

*Sangeeta M. Porob*, Under Secretary (Health).  
Porvorim, 9th November, 2015.



### Department of Sports and Youth Affairs

Directorate of Sports and Youth Affairs

#### Order

No. 8/1/2001/Adhoc-Appt/ADM/D.SPORTS/3042

Government is pleased to promote on ad hoc basis Shri Gurudas Bandodkar, Asstt. Physical Education Officer of the Directorate of Sports & Youth Affairs, Panaji to the post of Assistant Director (Physical Education, South) Group 'B', Gazetted in the pay scale of PB—2 ` 9,300-34,800+ ` 4,600/- for a period of one year, caused due to the superannuation of Shri R. N. Tari Assistant Director (Physical Education, South).

The ad hoc promotion is initially for a period of one year w.e.f. 30-10-2015 and will not bestow on the promotee any claim for regular appointment and service rendered on the post will not count for the purpose of seniority in the grade and eligibility for promotion to the next higher grade.

The pay of the promotee shall be fixed as per rules.

The Government reserves the right to cancel at any time the above ad hoc promotion and revert the promotee to the post from which he was promoted.

By order and in the name of the Governor of Goa.

*V. M. Prabhu Desai*, Director & ex officio Joint Secretary (Sports & Youth Affairs).

Panaji, 28th October, 2015.

#### Order

No. 8/1/2001/Adhoc-Appt/ADM/D.SPORTS/3043

Government is pleased to promote on ad hoc basis Shri. Rajendra K. Gaonkar, Asstt. Physical Education Officer of the Directorate of Sports & Youth Affairs, Panaji to the post of Assistant Director (Projects), Group 'B', Gazetted in the pay

scale of PB—2 ` 9,300-34,800+ ` 4,600/- for a period of one year, caused due to the ad hoc promotion of Smt. Juliana Gurjua e Colaco to the post of Dy. Director (Sports & Youth Affairs).

The ad hoc promotion is initially for a period of one year w.e.f. 30-10-2015 and will not bestow on the promotee any claim for regular appointment and service rendered on the post will not count for the purpose of seniority in the grade and eligibility for promotion to the next higher grade.

The pay of the promotee shall be fixed as per rules.

The Government reserves the right to cancel at any time the above ad hoc promotion and revert the promotee to the post from which he was promoted.

By order and in the name of the Governor of Goa.

*V. M. Prabhu Desai*, Director & ex officio Joint Secretary (Sports & Youth Affairs).

Panaji, 28th October, 2015.

## Department of Women & Child Development

Directorate of Women & Child Development

### Addendum

No. 2-125-2006 W&CD/Secrett/PartII/6029

Ref.: 1) Order No. 2-125-2006-DW&CD/Sectt/ /Part-II/09081 dated 07-10-2014.

2) Corrigendum No. 2-125-2006-DW&CD/ /Sectt/Part-II/03588 dated 18-06-2015.

For the last para of the above referred order No. 1 one line may please be added "Finance Department has concurred with this proposal vide U. O. No. 1488604 dated. 11-08-2014".

The other contents of the said order remain unchanged.

*Deepali Naik*, Director (Women and Child Development).

Panaji, 30th October, 2015.

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